

AMENDED NO. 72098
APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JAN 04 2005
Returned to applicant for correction FEB 17 2005
Corrected application filed APR 11 2005
Map filed APR 15 2005 under 72098

The applicant **Industrial Properties Development, Inc.** hereby make application for permission to change the **place of use and Point of Diversion of a portion** of water heretofore appropriated under **Permit Number 66785**

1. The source of water is **Underground Water Well**
2. The amount of water to be changed **13.17 Acre Feet**
3. The water to be used for **Quasi Municipal**
4. The water heretofore permitted for **Quasi Municipal**
5. The water is to be diverted at the following point **Within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13, T18S, R63E, MDM at a point which bears S 63 degrees 03 minutes 38 seconds W, 1610.75 feet to the SW corner of said Section 13.**
6. The existing permitted point of diversion is located within the **NE $\frac{1}{4}$ of Section 32, T17S, R63E, MDM at a point which bears N 81 degrees 55 minutes 08 seconds E. 914.32 feet to the NE corner of said Section 32.**
7. Proposed place of use **SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ all in Section 13, T18S, R63E, MDM.**
8. Existing place of use **Apex Industrial Park as show on "Place of Use" Map accompanying applications #66162-66166 Township 17 South, Range 63 East: Part of Sections 32 and 33; Township 18 South, Range 63 East: part of Sections 3, 4, 5, 8, 9, 10, 11,13,14, 20, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35; Township 19 South, Range 63 East; Parts of Sections 2, 3, 4, 5, 6, 7, 8, and 9**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Pumped from a drilled well to a storage tank for distribution by a pipeline.**
12. Estimated cost of works **\$200,000.00.**
13. Estimated time required to construct works **One Year**
14. Estimated time required to complete the application of water to beneficial use **One Year**

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15. Remarks: **13.17 Acre Site, 1 Truck Stop with Fast Food Restaurant, convenience store and minor irrigation for desert landscaping.**

By Adam Titus
s/ Adam Titus
2500 N Buffalo, Suite 235
Las Vegas, Nevada 89128

Compared mt/ gkl lt/ gkl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 66785 is issued subject to the terms and conditions imposed in said Permit 66785 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 66784, 66785 and 72098 shall not exceed 58 million gallons annually.

By the issuance of this permit, the total combined duty of Permits 66784 and 66785 is reduced to 53.71 million gallons annually.

(CONTINUED ON PAGE 3)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.10 cubic feet per second, and not to exceed 4.29 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

March 1, 2007

Proof of completion of work shall be filed on or before:

April 1, 2007

Water must be placed to beneficial use on or before:

March 1, 2008

Proof of the application of water to beneficial use shall be filed on or before:

April 1, 2008

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 1st day of March A.D. 2006


State Engineer

Completion of work filed APR 30 2010

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____